

Notice of Allowability

Application No.

10/700,211

Examiner

Mr. Terry K. Cecil

Applicant(s)

PRATER ET AL.

Art Unit

1723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the IDS of 12-4-2003 and the telephonic interview of 3-15-2004.

2. ☒ The allowed claim(s) is/are 34, 36 and 37 respectively renumbered upon allowance as claims 1-3.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/03

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____.

Art Unit: 1723

Note: Claims 34, 36 and 37 are allowed and have been respectively renumbered upon allowance as claims 1-3.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Michael Taken on 3-15-2004.

2. The application has been amended as follows:

- Claim 35 has been canceled.
- Claim 34, before the "." in the last line, the following has been added: —, wherein said designated release pressure corresponding to said desired terminal pressure is calibrated according to bubble point of said porous media.
- Specification, page 1, the first paragraph under "CROSS-REFERENCE TO RELATED APPLICATION" has been amended as follows:

—This application is a continuation of U.S. patent application Serial No. 10/116,461, filed April 4, 2002, now U.S. Patent 6,641,742, which is a continuation-in-part of U.S. patent application Serial No. 09/934,576, filed August 22, 2001, now U.S. Patent 6,610,198.—

Art Unit: 1723

Required Drawing Changes

3. Applicant's proposed drawing correction filed 11-3-2003 has been approved. In order to avoid abandonment of the application, applicant must submit formal drawings including the aforementioned agreed upon drawing changes.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:
- The closest cited art—Smith et al. 2002/0125178-A1—fails to anticipate or render obvious, alone or in any proper combination, the gas-trapping upper section of the inlet chamber that includes an end cap having a porous media over the hollow interior of the media, wherein the porous media blocks gas flow below a designated release pressure that corresponds to the desired terminal pressure that is calibrated according to the bubble point of the porous media—within the filter and method of claims 34 and 37.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee.

Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1723

5. Contact Information:

- Examiner Mr. Terry K. Cecil can be reached at (703)305-0079 for any inquiries concerning this communication or earlier communications from the examiner.
Note that the examiner is on the increased flextime schedule but can normally be found in the office during the hours of 8:00a to 4:30p, on at least four days during the week M-F.
- The group receptionist can be reached at (703)308-0661 for inquiries of a general nature or those relating to the status of this or proceeding applications.
- Wanda Walker, the examiner's supervisor, can be reached at (703)308-0457 if attempts to reach the examiner are unsuccessful.
- The Fax number for this art unit for official faxes is 703-872-9306.


Mr. Terry K. Cecil
Primary Examiner
Art Unit 1723

TKC
March 15, 2004